

PTO/PCT Rec'd 01 JUL 2002

HG

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:) Group Art Unit: TBA
Karim MALIK et al.)
Serial No.: 10/031,067) BOX: MISSING PARTS
Filed: January 15, 2002)
For: **DIAGNOSTIC METHOD**) Docket No. 000487.00011

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGANTED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner of Patents
Washington, D.C. 20231
Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Requirements, mailed April 1, 2002, the Applicants are hereby submitting the executed declaration for filing in the above-identified application. A sequence listing on computer readable form as well as a statement verifying that the paper copy and computer readable from are the same are also enclosed.

The Commissioner is authorized to charge \$120.00 to Deposit Account No. 19-0733, to cover the following:

\$ 65.00 - Surcharge for late declaration.; and

\$ 55.00 – One month extension of time fee.

07/02/02 EASYPAGH 00000073 190733 10031067
65.00 CH

07/02/02 EASYPAGH 00000073 190733 10031067
55.00 CH

U.S. Application No. 10/031,067

Attorney Docket No. 000487.000011

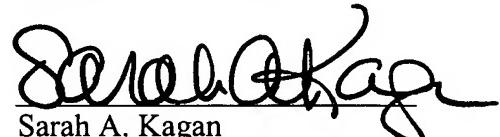
Page 2

It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

July 1, 2002

By:

Respectfully submitted,


Sarah A. Kagan
Registration No. 32,141

Banner & Witcoff, Ltd.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

120.00

Complete If Known	
Application Number	10/031,067
Filing Date	January 15, 2002
First Named Inventor	Karim MALIK et al.
Examiner	TBA
Group / Art Unit	TBA
Attorney Docket No.	000487.00011

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text" value="19-0733"/></p> <p>Deposit Account Name <input type="text" value="Banner & Witcoff"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath or cover sheet.</td><td>65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td>55.00</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179 (RCE)</td><td>740</td><td>279</td><td>370 Request for Continued Examination</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3)</td> <td>(\$)</td> <td>120.00</td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Fee Description	Fee Paid	105	130	205	65 Surcharge - 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SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Sarah A. Kagan	Registration No. Attorney/Agent)	32,141	Telephone	202-508-9100		
Signature	<i>Sarah A. Kagan</i>			Date	July 1, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

WWB/SAK
 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,067	Karim Malik	000487.00011

INTERNATIONAL APPLICATION NO.

PCT/GB00/02741

I.A. FILING DATE

07/17/2000

PRIORITY DATE

07/15/1999

Sarah A Kagan
 Banner & Witcoff
 1001 G Street N W
 11th Floor
 Washington, DC 20001

RECEIVED

APR 08 2002

BANNER AND WITCOFF

CONFIRMATION NO. 5996

371 FORMALITIES LETTER



OC000000007754860

Date Mailed: 04/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- o U.S. Basic National Fees
- o Indication of Small Entity Status
- o Priority Document
- o Biochemical Sequence Listing
- o Copy of IPE Report
- o Copy of references cited in ISR
- o Copy of the International Application
- o Copy of the International Search Report
- o Information Disclosure Statements
- o Preliminary Amendments
- o Small Entity Statement

4/24/02
 add 4/24/02
 000487.00011 4/15/02
 DOCKETED UC
 Missing Requirements
 APR 08 2002 due
 4/1/2002
 4/1/2002 last day

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- o Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- o \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,067	PCT/GB00/02741	000487.00011